

## REMARKS

Claims 1-18 are pending in the application. The Examiner has rejected Claims 1-12 and 14-17 under 35 U.S.C. §102(e) as being anticipated by Ostberg et al. (U.S. Patent 6,504,830). The Examiner has rejected Claims 13 and 18 under 35 U.S.C. §103(a) as being unpatentable over Ostberg et al. in view of Nystrom et al. (U.S. Patent 6,526,091).

Regarding the rejections of independent Claims 1, 5, 9 and 14, the Examiner states that all of the elements of these claims are anticipated by Ostberg et al. Ostberg et al. discloses a method, apparatus and system for fast base synchronization and sector identification. Ostberg et al. teaches that in order to perform a cell search a broadcast control channel (BCCH) must be received. The receipt of this control channel is not required by the present invention. Claims 1, 5, 9 and 14 have been amended to recite that the cell search is performed without receiving the broadcast control channel. Based on at least the foregoing, withdrawal of the rejections of Claims 1, 5, 9 and 14 is respectfully requested.

Further, independent Claims 1, 5, 9 and 14 have been amended to recite that the correlation and detection operations of the cell search are performed in only two steps. Ostberg et al. teaches that at least three steps are required to perform its cell search. Based on at least the foregoing, withdrawal of the rejections of Claims 1, 5, 9 and 14 is respectfully requested.

Independent Claims 1, 5, 9 and 14 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-4, 6-8, 10-13 and 15-18, these are likewise believed to be allowable by virtue of their dependence on their respective independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-4, 6-8, 10-13 and 15-18 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-18, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", is written over the printed name.

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